

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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**FELIPE BRANFORD,**

**Plaintiff,**

**05-CV-0344S(Sr)**

**v.**

**RESEARCH FOUNDATION OF SUNY,**

**AMENDED CASE  
MANAGEMENT ORDER**

**Defendant.**

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This Court's Case Management Order dated January 10, 2007 is hereby amended as follows:

1. Defendant shall identify any expert witnesses who may be used at trial and provide reports pursuant to Fed.R.Civ.P. 26(a)(2)(B) by **January 15, 2008**. Such disclosures shall be served on all counsel. See *also* Local Rule 26.

2. All discovery in this case shall be completed no later than **February 15, 2008**.

3. All applications to resolve discovery disputes shall be filed no later than 30 days before the discovery completion date. In the event of bonafide discovery disputes that cannot be resolved by counsels' good faith efforts (see *generally* Local Rule 37), the parties shall submit, by joint letter, signed by all counsel, a statement of the issue(s) to be resolved by the Court. Each party, within five business days thereafter, shall submit by letter a statement of facts and law it wishes the Court to

consider. Original letters shall be filed with the Clerk of the Court, and a courtesy copy shall be provided simultaneously to Chambers. The Court reserves the right to request full briefing by the parties, in which case the Court will so advise the parties.

4. Dispositive motions by all parties shall be filed and served no later than **March 21, 2008**. See *generally* Local Rule 7.1(c); 56. Such motions shall be made returnable before Judge Skretny, or if the Magistrate Judge has dispositive motion jurisdiction in the case, before the Magistrate Judge.

9. In the event no dispositive motions are filed, pretrial statements in strict compliance with Local Rule 16.1(l) shall be filed and served no later than **March 28, 2008**, and the parties shall strictly adhere to the dates set forth in paragraphs 13 and 14 below.

10. A final pretrial conference pursuant to Fed.R.Civ.P. 16(d) and Local Rule 16.1(j) will be held on **April 16, 2008 at 9:00 a.m.** before Judge Skretny.

11. Trial is set for **June 24, 2008 at 9:30 a.m.**

12. Adjournments: The dates in this scheduling order may not be extended by agreement of counsel. Pursuant to Judge Skretny's Guide to Civil Practice, extensions may be granted, for good cause shown, only upon motion to Judge Skretny, or if the Magistrate Judge has dispositive motion jurisdiction in the case, before the Magistrate Judge. See Guide to Civil Practice, II(A)(2).

13. Intermediate Settlement Conference: If counsel are of the belief that an intermediate conference before the Magistrate Judge would be of assistance in the prompt disposition of the case, such a conference will be scheduled upon application of any party.

14. Counsel are directed to refer to Judge Skretny's Guide to Civil Practice for additional guidelines.

15. Courtesy Copies: Courtesy copies of all motion papers shall be provided to chambers simultaneously with their filing in the Office of the Court Clerk.

16. Sanctions: Counsel's attention is directed to Fed.R.Civ.P. 16(f) calling for sanctions in the event of failure to comply with any direction of this Court.

**SO ORDERED.**

DATED: Buffalo, New York  
December 5, 2007

**S/ H. Kenneth Schroeder, Jr.**  
**H. KENNETH SCHROEDER, JR.**  
**United States Magistrate Judge**